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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF UTAH

PETTER INVESTMENTS, INC. d/b/a
RIVEER, a Michigan corporation,

Plaintiff,

vs.

HYDRO ENGINEERING, INC., a Utah
corporation, and **CALIFORNIA**
CLEANING SYSTEMS, a California
company,

Defendants.

**[PROPOSED] ORDER GRANTING
PLAINTIFF RIVEER'S MOTION FOR
FED. R. CIV. P. 56(d) RELIEF**

Civil Case No. 2:14-CV-00045

Judge Dee Benson

AND RELATED COUNTERCLAIMS

Having considered plaintiff Petter Investments, Inc.'s d/b/a RIVEER ("Riveer") Motion for Fed. R. Civ. P. 56(d) Relief ("Motion"), the arguments and submissions of the parties in connection with the Motion, and being fully advised in the premise, the Court hereby GRANTS the Motion, and finds and orders that Defendant Hydro Engineering, Inc.'s Motion for Summary Judgment on Plaintiff's Fourth, Fifth, and Sixth Claims for Relief (Dkt. No. 82) is DENIED [or alternatively] that Defendant Hydro Engineering, Inc. must:

- (1) Respond completely and fully to Riveer's outstanding discovery requests;
- (2) Produce for deposition all Hydro employees involved in the competitive bidding practices at issue (including Doug Felice, Kerry Smith, and Travis Heywood);
- (3) Produce a Rule 30(b)(6) deposition of Hydro prepared to provide testimony about all of the relevant details of Hydro's competitive bidding practices at issue; and
- (4) Allow Petter the time necessary to obtain document production and depositions from third parties, including the contracting offices who issued the bid specifications and solicitations, and reviewed bids.

Furthermore [if the motion is not denied], the Court hereby ORDERS that Riveer's opposition to Defendants' Motion for Summary Judgment on Plaintiff's Fourth, Fifth, and Sixth Claims for Relief (*see* Dkt. No. 82) is due no later than 14 days after the final deposition ordered above, takes place.

DATED this _____ day of _____, 2014.

Hon. Dee Benson, District Judge